



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/104,256	03/21/2002	David T. Chen	MMS-25

Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, MA 02451-1914

CONFIRMATION NO. 7677

FORMALITIES LETTER



\*OC000000007923901\*

Date Mailed: 04/22/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

---

*A copy of this notice **MUST** be returned with the reply.*

M-WAILE  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David T. Chen et al.  
For: VIDEO-BASED SURGICAL TARGETING SYSTEM  
Attorney's Docket No.: MMS-25

Date: March 21, 2002

COPY

Box Patent Application  
Assistant Commissioner For Patents  
Washington, D.C. 20231

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached patent application is being filed under the provisions of 37 CFR 1.10.

Applicants' attorney is also submitting the requisite fee on the basis of Small Entity status, which the Applicants hereby assert, and as calculated on the attached transmittal letter.

"EXPRESS MAIL" MAILING LABEL NUMBER ET916531805US

DATE OF DEPOSIT MARCH 21, 2002

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

MARK J. PANDISCIO

(PERSON MAILING)

Mark J. Pandiscio  
(SIGNATURE)

Respectfully submitted,

Mark J. Pandiscio 3/21/02

Mark J. Pandiscio  
Registration No. 30,883  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, MA 02451-1914  
Tel (781) 290-0060  
Fax (781) 290-4840

PS/MMS25.FIL

MMS-25

Assistant-Commissioner For Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of:

Inventor: David T. Chen et al.  
For: VIDEO-BASED SURGICAL TARGETING SYSTEM

Enclosed are:

- ☒ 9 sheets of drawings.  
☐ An assignment of the invention to: \_\_\_\_\_  
☐ A verified statement to establish small entity status.  
☐ \_\_\_\_\_

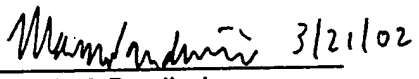
The filing fee has been calculated as shown below:

Small Entity				Large Entity		
For:	No. Filed	No. Extra	Rate	Fee	Rate	Fee
Basic Fee				\$370.00		\$740.00
Total Claims	1 - 20		x \$ 9.00	0	x \$18.00	
Ind. Claims	1 - 3		x \$42.00	0	x \$ 84.00	
Mult. Claims			+ \$140.00	0	+ \$280.00	

Total \$370.00

- ☐ Please charge my Deposit Account No. 16-0221 to cover the filing fee and assignment recording fee. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$370.00 to cover the filing fee (and assignment recording fee) is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, Massachusetts 02451-1914  
Tel. (781) 290-0060

PS/MMS25.FEE

MMS-25

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David T. Chen et al.  
Serial No.: 10/104,256  
Filing Date: 03/21/2002  
Title: VIDEO-BASED SURGICAL TARGETING SYSTEM  
Group Art Unit: 3761  
Attorney's Docket No.: MMS-25

Assistant Commissioner for Patents  
Washington, D.C. 20231

COPY

Sir:

PETITION FOR AUTOMATIC EXTENSION OF TIME TO RESPOND

Applicant hereby petitions for a three (3) month extension of time to respond to the outstanding NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED mailed April 22, 2002 with respect to the above-identified patent application, thereby extending the time for response from June 22, 2002 to September 22, 2002.

Applicant notes that inasmuch as September 22, 2002 fell on a Sunday, the actual due date is Monday, September 23, 2002.

A check in the amount of \$460.00 is enclosed to cover the cost of the petition fee. This petition fee has been calculated on the basis of Small Entity status.

In the event that any additional fees may be required to be paid in connection with this matter, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221. A duplicate copy of this Petition is enclosed for the convenience of the Office.

Thank you.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON:

SEPTEMBER 23, 2002

(DATE OF DEPOSIT)

JAMES A. SHERIDAN

(NAME OF ATTORNEY)

James A. Sheridan 9/23/02

(SIGNATURE)

PS/MMS25.EXT

SEPTEMBER 23, 2002

(DATE OF SIGNATURE)

Respectfully submitted,

*James A. Sheridan 9/23/02*

James A. Sheridan  
Registration No. 43,114  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, MA 02451-1914  
Tel. (781) 290-0060

MMS-25

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David T. Chen et al.  
Serial No.: 10/104,256  
Filing Date: 03/21/2002  
Title: VIDEO-BASED SURGICAL TARGETING SYSTEM  
Group Art Unit: 3761  
Attorney's Docket No.: MMS-25

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL.  
POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON:

SEPTEMBER 23, 2002

(DATE OF DEPOSIT)

JAMES A. SHERIDAN

(NAME OF ATTORNEY)

JAMES A. Sheridan 9/23/02

(SIGNATURE)

SEPTEMBER 23, 2002

(DATE OF SIGNATURE)

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

In response to the NOTICE TO FILE CORRECTED APPLICATION PAPERS, applicants hereby respectfully submit the following:

(1) a DECLARATION AND POWER OF ATTORNEY document listing the names of each of the inventors, specifically identifying the application by serial number and filing date, and signed by the inventors, David T. Chen, Steven D. Pieper and Michael A. McKenna;

(2) a duplicate copy of the NOTICE TO FILE CORRECTED APPLICATION PAPERS, as requested in the Notice; and

(3) one (1) check in the amount of \$65.00 to cover the surcharge for the late filing of the Declaration, this charge having been calculated on the basis of Small Entity status.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

A duplicate copy of this RESPONSE TO NOTICE TO FILE  
CORRECTED APPLICATION PAPERS is enclosed for the convenience of  
the Patent and Trademark Office.

Respectfully submitted,

*James A. Sheridan 9/23/02*

James A. Sheridan

Registration No. 43,114

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02451-1914

Tel. No. (781) 290-0060

PS/MMS25.RES